

Meeting Date: May 21

Agenda Item No. 8

Agenda Item: Rules: Two-Pole Permit and Terminology for Disabled Archery Permit; Disability Rule Update

Bureau Chief Approval: _____

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Background:

New laws passed during the 2008 legislative session require modification of IDAPA rules. Staff will make rule recommendations to comport with 2008 legislation for the new two pole permit (House Bill 472) and creating a reference for disabled archery permit (Senate Bill 1265). The latter is a continuation of effort to replace the use of “handicapped” with “disabled” in Fish and Game statute and rule.

Correction of terminology to correctly reference the Disabled Motor Vehicle Hunting Permit in IDAPA 13.01.07.101.02.a is also recommended for consistency with previous rule-making and statute.

An error has been detected in the rule for required documentation for a disability license that has led to customer confusion and dissatisfaction. Staff will discuss the issue to receive guidance to address the issue for future rule recommendation.

Statutory Authority and/or Policy issues:

The Commission has authority to establish or amend sections of IDAPA 13. The Commission has a responsibility to maintain IDAPA rules that are consistent with Idaho Code.

Public Involvement Process:

There was public involvement for House Bill 472 and Senate Bill 1265 during the legislative committee hearings on the bills. These bills were also discussed during Commission legislative conference calls, which are open meetings.

Staff has received written and verbal customer complaints regarding the disability license rule and the required documentation.

Staff Recommendation:

Amend rules per the staff recommendation.

Provide guidance for the disability license eligibility and required documentation for future rule proposal.

Justification:

Rule changes are needed to implement FY09 legislation approved during the 2008 legislative session.

The disability license eligibility needs clarification for improved customer service.